

STATEMENT TO THE INSPECTOR**The London Borough of Barnet (West Hendon Regeneration Area) Compulsory Purchase Order No 1 2014****Cllr Dr Devra Kay****Councillor for West Hendon Ward, London Borough of Barnet (May 2014 to present)****29 December 2014****Please find below:****Section 1: A speech made by me at the London Borough of Barnet Full Council Meeting on 16 December 2014. This outlines the points I intend to include in my speech to the Inquiry.****Section 2: History, additional points and expansion of points that occur in Section 1.****Section 3: Proposals for solutions**

Section 1: My speech to London Borough of Barnet Full Council Meeting on 16 December 2014

1.1 The plans for regeneration in West Hendon date back to 2002. Since then leaseholders who bought their Council homes under the Right to Buy Scheme have lived in uncertainty being given promises of building going ahead that never happened and plans that were revised and revised again. But over the years properties were badly neglected in spite of an obligation on the part of the landlord, the Council.

1.2 Then in 2013, regeneration was finally activated, existing homes were to be demolished while new homes built, as the present estate was declared no longer maintainable, and out of the blue each leaseholder received a bill for £10,000 for works that they were told were essential to be carried out immediately for reasons of health and safety.

1.3 This action was triggered by a serious fire in a Council block behind Brent Street in Hendon and the fear of legal action that might be taken against the Council if there were a similar disaster in West Hendon due to the poor conditions that had developed under their management.

1.4 The bill of £10,000 applied to all leaseholders whether they were going to be moved in a year or 10 years and was to cover a 25 year period. Residents on the Estate are generally low-paid and don't have that sort of money. They were compelled to pay for maintenance work including electrical works whether the work needed to be done or not. They had no choice and if they refused they were threatened with disconnection from the main supply.

1.5 Building is now in progress and while the Council pleads Health and Safety, a long-term asbestos issue has come to light that needs urgent attention but the Council dodges all responsibility. Health and safety in this case is clearly not a priority for them. Repairs done by the agents of the Council and paid for by leaseholders are shoddy and dangerous - for example, bare electric wires hang down beside water and gas supplies.

1.6 The residents are living on a building site with perpetual lorries, thick dust, overwhelming levels of noise, giant cranes swinging over their rooftops, porta cabins close up to their windows, bright lamps outside their windows from early morning, construction workers often working beyond the agreed hours.

1.7 Children's play areas including the War Memorial Park known locally as York Memorial Park are no longer available for recreation but have been claimed as part of the building development.

1.8 And the future for leaseholders is uncertain. Derisory offers for their homes well below market value make it impossible for them to afford to live in the new build where prices are high and the number of affordable homes has been drastically cut. Yet insensitively in the name of "consultation" two exhibitions were arranged for them showing plans of the lovely new flats being built that they will never be able to afford.

1.9 The leaseholders have never denied their obligations but this blanket bill of such magnitude for works to be done on these long-neglected buildings which are soon to be demolished is against all natural justice.

1.10 After long, tough negotiations a payment scheme acceptable to them by which they might now pay a pro rata sum based on how long they remain in their present homes that will be paid off at a reasonable monthly rate has been proposed. I urge the Council to vote for the motion to agree this scheme in the name of fairness and justice.

[NB Council rejected this proposal with their Conservative majority of one.]

Section 2. Additional background, points and expansion of points that occur in the speech above

2.1 Over 12 years ago, in 2002, the regeneration of the West Hendon Estate was announced. The aging estate was to be demolished and a new, modern, improved estate was to take its place. No new secure tenancies were granted. Any new tenancies were "non-secure" and today, these represent over a third of the estate. With the uncertainty of how long buildings would remain standing before demolition this may not have seemed unreasonable at the time. However, this could also be seen as an avoidance of any future commitment to new tenants by the Council. The option on offer was that if you were really desperate for a home, then at least a temporary home could be provided for you on the West Hendon Estate and although it might be demolished in the near future, this was better than no home at all. Some new tenants were led with vague and less vague promises to believe that they would eventually get a secure tenancy but this has not happened.

2.2 What did happen as far as the development of a new estate was concerned was nothing. This applied both to demolition and new building and to a neglect of the maintenance of the existing buildings including the lack of appropriate rigorous investigation and removal of asbestos in all homes, including those that had been sold off to leaseholders. This problem has recently come to light when a leaseholder wished to have a redundant heating system removed and received various emails from the Council revealing that there were fears that asbestos might be found in the system and offering instructions on how this should be dealt with. Work was done to avoid the area in which the presence of asbestos was suspected. Homes had been sold to leaseholders some years earlier with this situation being known by the vendors; the Council. The reply at Leaders' Questions from Cllr Tom Davey, Chair of the Housing Committee at Full Council of 16 December 2014 to question No 66, put far down the question list transfers the responsibility to the leaseholders and to the developers.

2.3 People moved into homes on non-secure tenancies that gave them no assurances about the future. They settled down, took pride in their homes, took local jobs, many had children who attended local schools, friends were made, a community formed. It was assumed by most that longevity of tenure would mean something, be formally recognized and translate into some sort of secure future.

2.4 Who would not welcome brand new homes to replace the old? But deadlines came and went. Promises were made and broken.

2.5 The Chair of the Housing Committee has been heard to say on more than one occasion at public committee meetings that if you can't afford to live in the Borough then you should live elsewhere. The residents of the West Hendon Estate were able to afford to live in the Borough until the goalposts were suddenly moved and it has become more and more apparent that leaseholders are being forced out of the Borough against their will due to the inadequate, well-below-market-price offers made to them for their properties. In fact for those who are not due to move for some years, the property market in London will have increased further and the situation for them will be even worse. There are leaseholders who have an outstanding mortgage which has not been taken into consideration. And it seems that rents are to rise for secure tenants so that in spite of their assurance of a home on the estate, even though this is beside the busy main road in the most unattractive part of the estate, rents are due to rise to 80% of private market prices that will be unaffordable. Non-secure tenants are offered an alternative home as their blocks enter the demolition stage and are given only one choice that could be anywhere. Some have been elsewhere in the Borough. A decision has to be made within 24 hours and if tenants turn down the offer because of unsuitability either of the property itself or its location in terms of jobs, schools, family, etc they are struck off the list and responsibility to rehouse them is removed.

2.6 The West Hendon Estate was neglected over a long period until in 2013 they were declared unmaintainable and a health and safety risk. The regeneration was to go ahead while at the same time major work had to be carried out at the cost of the leaseholders. The current explanation for long-term neglect is that because it was constantly uncertain when regeneration would be activated, it was not thought viable to invest money in maintenance. But the Council was forced into action (see 1.3 above).

2.7 The lack of consideration and sensitivity for the plight of estate residents is epitomized in two recent exhibitions referred to in 1.8 above.

2.8 Looking at the evidence, it seems the priorities of those in charge of the regeneration project rest solely with the developers. The number of 'affordable' homes has been drastically reduced. The attitude of the Council can be seen by its disregard not only for the plight of the tenants and leaseholders and their families, but similarly for the advice of wildlife experts and organisations to preserve the wildlife long attracted by the area which is designated an area of scientific interest which attracting a rich array of wildlife as well as being an area of natural beauty. No respect has been given to the preservation of the War Memorial Park on the site (See 1.7 above) nor to the children who play in it. (See 1.7 above). This is to be built over as part of the regeneration development. The environment and preservation of nature have been given as little consideration by the London Borough of Barnet as have the lives of the tenants and leaseholders: the residents. There is no sense of responsibility. Profit for the developers, high purchase prices and the resulting council tax income, new homes advertised abroad attracting overseas investors in the London property market who may never live in them; the financial advantage to the Council of the new homes bonuses; these are the priorities. That regeneration should provide improved replacement homes for those who already live on the estate, a regeneration of their neglected, unmaintainable old homes for new in a condition in which they should always have been maintained, the preservation of a community and of a unique area of wildlife and natural beauty is, by its own admission, of no consequence to the London Borough of Barnet.

3. I would ask the Enquiry to recommend that:

3.1 Leaseholders be allowed to pay off the cost for major works (calculated at £10,000 for each leaseholder property) pro rata to the time they will live on the estate and at the affordable monthly sum proposed.

3.2 A realistic offer based on average local market prices is made to leaseholders to enable them to buy a replacement home either before or when their homes on the estate are demolished. At present Capita is acting in breach of honest negotiation, with tenants and leaseholders at their mercy and without the financial means to fight their case.

3.3 To ensure a responsible, ethical programme of rehousing the current residents of the West Hendon Estate by Barnet Council and Capita with appropriate consultation. To fairly and in appropriate proportion provide homes for those who need them at all levels of need as set out in the Mayor of London's *Housing supplementary planning guidance 2012*.¹

3.4 In line with their declared concern for Health and Safety, Barnet Council accepts responsibility for the serious asbestos situation on the Estate with which they have failed historically to sufficiently engage and to deal with it responsibly without passing the buck and without charge to residents. And in addition to ensure safe and competent workmanship in any works carried out on the Estate.

Cllr Dr Devra Kay
Councillor for West Hendon Ward
29 December 2014

¹ *Housing supplementary planning guidance: "Mixed and Balanced Communities"*, November 2012:102 (*London Plan 2011 Implementation Framework 2011*). Mayor of London, Greater London Authority.